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Date: 3/31/2014 12:45:46 PM

Subject: West Lake Landfill Update

Attachments: [ETSC_ObservationsonEMSIreport.pdf](#)
[140331-West Lake Update.pdf](#)

Dear General Koster:

I'm enclosing a study recently completed by the EPA's experts in the Office of Research and Development (ORD) that assessed the consequences of a highly unlikely event: movement of the SSE in Bridgeton Sanitary Landfill into contact with the RIM that has been mapped in OU-1 of the EPA's Superfund site at West Lake Landfill. Recall that last fall, the PRP's contractor prepared a risk-assessment report: it's this report that ORD has reviewed and, in many cases, critiqued.

Region 7 has shared this ORD study with the Missouri congressional delegation, as well as with interested community leaders. As my transmittal letter to Sen Blunt stresses, this highly unlikely event is just what the isolation barrier is intended to prevent. That said, ORD's assessment of the consequences of the SSE encountering RIM establishes that the results would not be an uncontrolled release of radiation from the RIM, a scenario which has concerned the community and local first responders. Region 7 has shared the ORD study directly with the Pattonville Fire Department to assist their planning for emergency response.

I will continue to keep you posted on EPA's work with the Corps of Engineers on the isolation barrier, as well as the status of location and design work required to initiate construction of the barrier.

Karl Brooks
Regional Administrator
EPA Region 7
913-551-7006

EMSI Executive Summary Bullet Point #3: An SSE may allow radon gas to more easily rise through the ground and reach the surface of the landfill than would otherwise occur, because heat will/would reduce the amount of moisture in the buried solid waste (trash) thereby increasing the amount of air between the soil particles and thus limiting the ability of the buried solid waste to retain radon below ground. Any radon gas that does make it to the surface would dissipate quickly in open air. This potential increase in the rate of release of radon gas at the surface of the landfill would be limited to the area of the SSE and would stop when the SSE ends.

EMSI Executive Summary Bullet Point #4: An SSE in West Lake Area 1 or 2 would create no long-term additional risks to people or the environment.

EMSI Executive Summary Bullet Point #5: Any short-term risks would be associated with the temporary increase in radon gas coming from the surface of the landfill if no cap is installed on the landfill, or if the cap called for by the 2008 ROD was not properly maintained.

EMSI Executive Summary Bullet Point #6: These short-term risks can be addressed by designing, building, and maintaining the landfill cap called for by the 2008 ROD, and by maintaining the land use restrictions already in place on the entire West Lake property, which prevent certain site uses.

EMSI Executive Summary Bullet Point #7: There are no additional ARARs associated with an SSE.

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West Lake Update

March 31, 2014

EPA Researchers Assess PRP Report on Potential of SSE and RIM Contact

EPA's top researchers in the Office of Research and Development have completed a critical assessment of the PRP's report on what could happen if the subsurface smoldering event in the Bridgeton Landfill came in contact with the radiologically-impacted material (RIM) at the West Lake site. Based upon current data submitted to the State by the PRPs EPA does not expect the SSE to come into contact with the RIM. EPA's experts agree the RIM is not expected to be more or less radioactive in the presence of heat and that there's no evidence that RIM will become explosive in the presence of heat.

Regardless, the EPA's work continues apace to finalize an assessment on the location of RIM and to get the order to the PRPs in place to construct an isolation barrier that will ensure the Bridgeton event and the RIM remain separate while a final remedy for the site is determined. As we reported recently, the EPA is also in discussions with the Army Corps of Engineers in St. Louis and Kansas City to seek their assistance in providing construction oversight and technical support. The St. Louis District of the Corps of Engineers has a team that is uniquely qualified on RIM projects and the Kansas City District has exceptional construction management experience under Superfund.

The ORD review is posted online and available at: http://www.epa.gov/region7/cleanup/west_lake_landfill/

EPA Partnership with USGS

EPA Region 7 has partnered with the United States Geological Survey (USGS) at the West Lake Landfill Site since 2013. The USGS is a governmental science organization that provides impartial information on the health of our ecosystems and environment. As the national governmental experts on groundwater, geology and hydrogeology, USGS's partnership with EPA brings the best and the brightest scientists to the West Lake site team.

The EPA partnership with USGS is administered under an Interagency Agreement, outlining the scope of cooperation between the two agencies. Some of the work that USGS is doing for EPA includes off-site groundwater sampling and evaluating groundwater data related to the site.

Meet David Hoefer

In addition to the complex scientific and engineering models required to bring a Superfund site back to public use, a great deal of legal forces are involved. In fact, without EPA's enforcement authority a site like West Lake would never be listed as a Superfund site and no potentially responsible party would ever be named. The result...we would not be in a position to enforce a cleanup or mitigation of a site like West Lake.

One of the driving legal professionals behind the West Lake Superfund site at EPA's Region 7 is David Hoefer. An attorney with EPA since 1990, David is currently the Chief of the Superfund Branch in Region 7's Office of Regional Counsel. David manages the legal aspects of the West Lake site for Region 7, which includes two parts enforcement and one part negotiation with the potentially responsible parties.

Prior to serving as Chief of the Superfund Branch, David served as an attorney working with the Superfund program on National Priorities List sites throughout Region 7. His work ensured correct response and enforcement for many significant sites. David earned his bachelor's from Regis University in Denver, and his law degree from the University of Missouri - Kansas City.



Superfund Enforcement

Critical to the success of David Hoefer and the EPA is the Comprehensive Environmental Response, Compensation and Liability Act (commonly known as the Superfund law). The law provides EPA broad enforcement authorities to compel responsible parties to perform investigations and clean-up actions at contaminated sites. This law keeps the cost to the taxpayer at a minimum while keeping it on the shoulders of those potentially responsible for the environmental problem.

EPA identifies those responsible for contamination at a site and pursues a "polluter pays" approach to obtaining site clean-up. If a responsible party does not agree to do the required investigation and cleanup, EPA has the legal authority to issue an order compelling it to conduct work, or EPA may work with the U.S. Department of Justice to pursue the party through litigation. EPA may also assess penalties against parties who do not cooperate, and may conduct the work itself through use of the Superfund and then sue the parties for recovery of its costs. We have a lot more information about Superfund enforcement authorities on our web site <http://www2.epa.gov/enforcement/superfund-enforcement>.



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